



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

JAN 5 2012

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OFFICE OF
WATER AND
WATERSHEDS

The Honorable Chairman Greg Abrahamson
Spokane Tribe
P.O. Box 100
Wellpinit, Washington 99040

Dear Chairman Abrahamson:

On November 22, 2011, the U.S. Environmental Protection Agency, Region 10 (EPA), sent a letter to the Spokane Tribe offering a government-to-government consultation regarding the EPA's upcoming Clean Water Act decision on Idaho water quality standards revision for toxics criteria to protect human health.

On December 16, 2011, Ted Knight, the Spokane Tribe Attorney, sent EPA an email requesting additional discussion with EPA regarding our upcoming action on Idaho's human health criteria for toxic pollutants. We held a discussion with Mr. Knight and Mr. Brian Crossley on January 4, 2012, by conference call to discuss their questions and concerns. It is our understanding that your staff was hopeful that further consultation would not be required following this discussion but wanted to leave that option open. In light of this possibility, the EPA wishes to provide the following information about potential consultation with the EPA Regional Administrator, Dennis McLerran.

As you may have heard from your staff, subsequent to our letter of November 22, 2011, the EPA held two informational conference calls with interested Tribes. Your staff participated in these calls which were held on December 7 and December 21, 2011. During the conference calls, we explained the schedule under which EPA must make this Clean Water Act decision, which must be done no later than March 2, 2012. Consequently, we apprised your staff that we would need to conduct and conclude consultations by January 2012. We informed your staff that we would work to schedule consultation meetings with Dennis McLerran and interested tribal governments.

As of January 4, 2012, six tribes have requested consultation on EPA's upcoming decision on Idaho water quality standards revision for toxics criteria to protect human health. To accommodate those requests in the month of January, we have carved out two days for tribal consultation with Dennis McLerran and tribal governments. The first date is January 18, 2012, in Spokane, Washington, between the hours of 11:00 am and 3:00 pm at a location to be determined. The second date is January 20, 2012, in Boise, Idaho, between the hours of 9:00 am and 2:00 pm at the EPA Boise office on 1435 North Orchard St., Boise, Idaho.

To assist in the scheduling we have identified one hour time frames that Tribes could choose to meet with Dennis McLerran. If tribal governments are interested in meeting together as a group for the government-to-government consultation, we are also open to conducting tribal consultations with more than one tribe. Please let us know if you are interested in a joint consultation with another tribe.

In Spokane on January 18, we have four 1 hour time frames that Tribes can select:

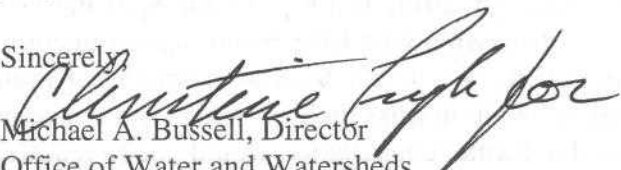
1. 11:00 am to 11:50 am;
2. 12:00 noon to 12:50 pm;
3. 1:00 pm to 1:50 pm; and
4. 2:00 pm to 2:50 pm

In Boise on January 20th, we have four one hour time frames Tribes can select:

1. 9:00 am to 9:50 am;
2. 10:00 am to 10:50 am;
3. 11:00 am to 11:50 am; and
4. 1:00 pm to 1:50 pm

Please select the preferred location (Spokane or Boise) for the government-to-government consultation and your preferred time frame and inform Mary Lou Soscia of my staff. She will be coordinating the consultation logistics and she can be reached at (503)326-5873 or soscia.marylou@epa.gov. Please let her know of your preference by no later than January 11, 2012.

Sincerely,


Michael A. Bussell, Director
Office of Water and Watersheds

cc: Mr. Brian Crossley, Water Resource Director
Spokane Tribe

Mr. D. R. Michel, Executive Director
Upper Columbia River Tribes